

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

In Re:

Case No. 18-32247

Regina Kay Marker

Chapter 13

Debtor.

Judge Harry C. Dees, Jr.

OBJECTION TO CHAPTER 13 PLAN

U.S. Bank Trust National Association as Trustee of Chalet Series III Trust (“Creditor”), by and through their undersigned counsel, hereby objects to the Debtor’s Chapter 13 Plan filed in the above referenced case. Creditor holds a secured interest in the Real Estate located at 28203 Pennsylvania Avenue, Elkhart, IN 46516. Creditor will be filing a Proof of Claim listing an approximate pre-petition arrearage amount to be paid in the amount of \$175,927.12. The Chapter 13 Plan currently provides for an arrearage amount of \$0.00. Furthermore, The Debtor proposes to improperly cramdown the mortgage held by the Creditor on the real property. As it is the first seated mortgage on a primary residence, it is not eligible for cramdown.

The Chapter 13 Plan does not adequately protect the Creditor’s interest in said Property and should be denied confirmation.

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)

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Attorney for Creditor

CERTIFICATE OF SERVICE

I certify that on January 11, 2019, a copy of the foregoing Objection was filed electronically. Notice of this filing will be sent to the following party/parties through the Court's ECF System. Party/parties may access this filing through the Court's system:

Thomas E. Godfrey, Debtor's Counsel at thomasfgodfreylaw@yahoo.com

Debra L. Miller, Trustee at dmecf@trustee13.com

Office of the U.S. Trustee at USTPRegion10.SO.ECF@usdoj.gov

I further certify that on January 11, 2019, a copy of the foregoing Objection was mailed by first-class U.S. Mail, postage prepaid and properly addressed to the following:

Regina Kay Marker
28203 Pennsylvania Avenue
Elkhart, IN 46516

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)
Attorney for Creditor